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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,923	02/14/2002	Pietro Padovani	B-4502 619523-5	3658
7:	590 06/23/2004		EXAMINER	
Richard P. Berg, Esq.			KEENAN, JAMES W	
c/o LADAS & PARRY 5670 Wilshire Boulevard, Suite 2100			ART UNIT	PAPER NUMBER
	CA 90036-5679		3652	
			DATE MAILED: 06/23/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

,,	Application No.	Applicant(s)	/ 				
	10/076,923	PADOVANI, PI	ETRO \/				
Office Action Summary	Examiner	Art Unit	X/				
	James Keenan	3652					
The MAILING DATE of this commun	nication appears on the cove	r sheet with the correspondence	address -				
A SHORTENED STATUTORY PERIOD F THE MAILING DATE OF THIS COMMUN - Extensions of time may be available under the provisions after SIX (6) MONTHS from the mailing date of this comm - If the period for reply specified above is less than thirty (5 - If NO period for reply is specified above, the maximum si - Failure to reply within the set or extended period for reply Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b).	ICATION. s of 37 CFR 1.136(a). In no event, how munication. 30) days, a reply within the statutory mitatutory period will apply and will expire will by statute, cause the application.	rever, may a reply be timely filed nimum of thirty (30) days will be considered to SIX (6) MONTHS from the mailing date of the to become ABANDONED (35 U.S.C. § 133).	ils communication.				
Status							
1) Responsive to communication(s) file							
closed in accordance with the pract	tice under <i>Ex par</i> te <i>Quayle</i> ,	1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims							
4) Claim(s) <u>1-15</u> is/are pending in the application.							
4a) Of the above claim(s) 3,10 and	4a) Of the above claim(s) 3,10 and 11 is/are withdrawn from consideration.						
5)⊠ Claim(s) <u>12-15</u> is/are allowed.							
· · · · · · · · · · · · · · · · · · ·	6)⊠ Claim(s) <u>1,2 and 4-9</u> is/are rejected.						
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement.							
Application Papers							
9)☐ The specification is objected to by t	he Examiner.						
10)⊠ The drawing(s) filed on <u>26 March 2004</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.							
Applicant may not request that any obj							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
11) The oath or declaration is objected	to by the Examiner. Note in	e attached Office Action of forfi	17 10-152.				
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a clain a) All b) Some * c) None of:	n for foreign priority under 3	5 U.S.C. § 119(a)-(d) or (f).					
a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received.							
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)	., г	7.1-4					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review	4) L (PTO-948)	Interview Summary (PTO-413) Paper No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449		Notice of Informal Patent Application Other:	(PTO-152)				
Paper No(s)/Mail Date	0, L						

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1. Claims 1-2 and 4-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, lines 2-3, it is not understood what is meant by "objects being arranged"; in what manner are they arranged?

Also in claim 1, line 5, it is not clear what is meant by "stacks to be handled", as the preamble refers to a "handling apparatus for groups of ... objects".

Claim 5, line 1, "at" should be deleted;

and lines 5 and 8, "up-release" should be --up and release--.

In claim 9, there is no clear antecedent basis for "said pick up <u>or release</u> station" (emphasis added).

- 2. Claims 1-2 and 4-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action.
- 3. Claims 12-15 are allowed.
- 4. Claims 3 and 10-11 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected species, there being no allowable generic or linking claim. However, since allowable subject matter has been noted in generic claims 1 and 5-8, if these claims are properly amended so as to be in proper form in view of 35 U.S.C. 112, second paragraph, claims 3 and 10-11 would then no longer be

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withdrawn. These claims should, however, also be amended to comply with the statute. In particular, the following indefinite language is noted:

claim 10, it is not clear relative to what "a transverse direction" refers;

claim 11, there is no proper antecedent basis for "said release or unloading station", it is not understood what is meant by "in that at the and of", the recitation "designed to be arranged" is vague, and "alignement" is misspelled.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Keenan whose telephone number is 703-308-2559. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen Lillis can be reached on 703-308-3248. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jámes Keenan Primary Examiner Art Unit 3652

jwk 6/17/04